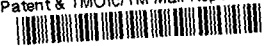


THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ROCHE DIAGNOSTICS GMBH,)
and)
ROCHE DIAGNOSTICS CORPORATION,)
Opposers,)
v.)
MEDLINE INDUSTRIES, INC.,)
Applicant.)

Proceeding No. 150,863

U.S. Patent & TMO/TM Mail Rcpt. Dt. #57



07-29-2002

**MOTION WITH CONSENT FOR EXTENSION
OF TIME TO ANSWER OR OTHERWISE PLEAD**

Medline Industries, Inc., with the consent of the opposers, Roche Diagnostics GMBH and Roche Diagnostics Corporation, hereby requests a thirty (30) day extension of time to answer or otherwise plead to the Notice of Opposition in the above matter, to August 31, 2002. The parties have reached a settlement agreement in principle, have memorialized the agreement in writing, and are in the process of finalizing and executing the settlement documents. Opposer is in possession of the finalized settlement documents and will be executing and forwarding them to applicant shortly for signature. This extension is requested to allow the parties additional time to complete the settlement process.

Counsel for Roche Diagnostics GMBH and Roche Diagnostics Corporation,
Andrea Gregory, consented to this extension on July 29, 2002.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON

By:

Jennifer E. Berner

Janet A. Marvel
Jennifer E. Berner
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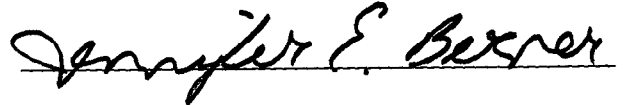
CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10
"Express Mail" Mailing Label No: EL 930526815 US Date of Deposit: July 29, 2002

I hereby certify that the document to which this Certificate is affixed is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3613 on the Date of Deposit shown above.

Andrea Gregory

CERTIFICATE OF SERVICE

I, Jennifer E. Berner, attorney for Applicant, hereby certify that a copy of the foregoing MOTION WITH CONSENT FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD has been served upon Andrea Gregory, Bose McKinney & Evans LLP, 2700 First Indiana Plaza, 135 North Pennsylvania Street, Indianapolis, Indiana 46204 this 29th day of July, 2002 by first class mail, postage prepaid.

Handwritten signature of Jennifer E. Berner in cursive script, underlined.

TTAB

PATTISHALL, McAULIFFE, NEWBURY, HILLIARD & GERALDSON

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July 29, 2002

U.S. Patent & TMO/TM Mail Rpt. Dt. #57



07-29-2002

VIA EXPRESS MAIL

Assistant Commissioner for Trademarks
BOX TTAB/NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Re: ACCUCARE
Serial No.: 76/210,082
Proceeding No.: 150,863
Our Reference No.: 00786-00013

Dear Sir:

Enclosed please find:

1. An original and two copies of a Motion With Consent For Extension Of Time To Answer Or Otherwise Plead; and
2. A stamped, self-addressed postcard, which we request be stamped with the date of receipt and returned to us.

Sincerely,

Jennifer E. Berner

JEB:la
Enclosure

03 AUG 20 AM 8:46
TTAB/NO FEE AND
PROCEEDING NO. 150,863